

Minutes of meeting held April 30, 2005

1. Meeting was called to order at 1:10 p.m. In attendance were David Buffum, moderator; Patricia Richard, clerk; Richard Brooks and Robert Hanson.

Because of an island-wide power outage, the board unanimously approved a recess until 11:00 a.m. Sunday, May 1, 2005. A notice was posted at the meeting place (Prudence Island Fire Station, Narragansett Ave., Prudence Island) and at the post office/store/ferry wharf (Pier Road and Narragansett Ave.) informing the public that the meeting would reconvene at that time. The notice stated that the meeting would be held at the fire station, but that if the power problems persisted that the meeting would be moved to the home of the Clerk of the Board, 0122 Holbrook Ave., Prudence Island. A phone number for further information was included in the notice.

On May 1, 2005 at 11:00 a.m., the board arrived at the fire station and found that the Narragansett Electric Company was using the station as a command post while carrying out repairs to the island's electrical system. The board directed members of the public to meet at the home of the clerk, where the meeting was reconvened at 11:25 a.m. In attendance were David Buffum, moderator; Patricia Richard, clerk; Richard Brooks and Robert Hanson.

2. Approval of minutes. Mr. Brooks moved for approval of the minutes

of the meeting held April 16, 2005, seconded by Mr. Hanson, approved unanimously.

3a. Appointment of board member. Mr. Ed Bishop expressed an interest in serving on the board the remainder of the unexpired term. He said that he had considered running for election but would be absent from the district on election day. Ms. Richard said that if he were interested in filling the vacancy, he should write a letter of interest to the board for consideration. Mr. Brooks said that if he were interested in running for election that he could run as a write-in candidate.

3bl. Adoption of bylaws. Mr. Buffum said he was still working on the bylaws concerning water restrictions during drought conditions. He also said that during his conversations with David Delisle of USDA RUS that mention had been made of federal compliance with the Civil Rights Act and the Americans with Disabilities Act and that the district should adopt bylaws addressing stating that the district policy was to comply with these federal mandates in both their hiring practices and applications for service. Ms. Richard said that Mr. Delisle had mentioned a clause that was commonly included in documents and that she would get that information for consideration as text of district bylaws.

Mr. Bishop asked if the district would be using the building in which the PIUC office was located and they he understood that they had a

5-year lease on the property. Ms. Richard said it would be unproductive to sink any money into renovations for the building and that it was not useful as it is, so the board would be looking for alternatives to that property.

3cl. Letter of engagement for special counsel. Ms. Richard said that she had received a revised letter of engagement from Sandra Mack and forwarded copies to the board members. Mr. Bishop asked what qualifications Ms. Mack had. Mr. Brooks said that Ms. Mack had handled the acquisition for the Bristol Water Authority. Mr. Brooks said that the most significant change was the billing period. Mr. Bishop asked what the method of billing would be. Mr. Buffum said that Ms. Mack would be billing on a project basis rather than hourly. Ms. Richard said that the district had a budget for special counsel and that Ms. Mack was aware of that figure. Mr. Brooks said that Ms. Mack was highly regarded by people within the Bristol Water Authority. Mr. Brooks moved to accept the terms of the letter of engagement with Ms. Mack, seconded by Mr. Hanson, approved unanimously. Mr. Buffum signed 2 copies of the letter. Ms. Richard asked board members for a motion approving Ms. Mack's retainer fee in the amount of \$1500. Mr. Brooks moved to authorize payment of the fee, seconded by Mr. Buffum, approved unanimously.

3cII. Technical issues – Mr. Bishop asked what, if any backup power was in place to run the water system if an extended power outage was experienced on the island. Mr. Hanson said that there was no

backup power system in place and that the system relied on pressure from the large storage tank to feed the water system. He said that the system was still being managed by the PIUC. Mr. Bishop asked what the voltage is on the pumping system. Mr. Hanson said it was 440 voltage. He said that if the large tank was kept full it would suffice for some time.

3dl.Sources of funding. USDA Predevelopment Grant. Ms. Richard said that she and Mr. Buffum had gone over the terms and conditions of the USDA grant with RU Director Dave Delisle. The first document spelled out how much the grant and match would be. She said that Mr. Delisle explained that USDA would hold the money until the job had been completed and approved by both RUS and the board of the district. Mr. Bishop asked if any of our elected representatives at the federal level had been approached about funding. Ms. Richard said she had written a request for appropriations funding to Rep. Patrick Kennedy. She said that she had also written to Sen. Jack Reed but had withdrawn the request when the PIUC had sold the land on which their office was located because she had requested funds for renovations on that property. She said that she felt it was inappropriate to ask Sen. Lincoln Chafee for funding since a grant had already been awarded to PIUC through his efforts.

Ms. Richard said that in regard to the USDA grant, several other documents had to be reviewed. She said that the grant agreement itself had within it several clauses that applied to construction grants

and were not applicable to the predevelopment grant, but that it did have items referring to compliance with certain laws and regulations, including those addressing anti-discrimination laws. The document also refers to the type of record keeping required of grantees. Mr. Brooks asked if the references to predevelopment included the environmental report and if both the engineering survey and the environmental report had to be completed before payment was made. Ms. Richard said the grant was for both projects.

Ms. Richard said that the next document was the request for obligation of funds and said that she and Mr. Buffum had already signed the document but that the grant would not be considered awarded until USDA officials signed off on that document. Ms. Richard said that the next document was the assurance agreement that said the district would comply with the civil rights act of 1964. A letter of intent to meet conditions within 60 days was also signed.

Mr. Bishop asked if the district was obligated to provide water beyond the confines of the existing system. Ms. Richard said that the district had no obligation to provide water outside the boundaries of the district, but had the right to sell water outside the district. She said that the board was not in a position to make that type of policy decision at this point.

Ms. Richard said that the document to be executed by the full board was called the loan resolution but in this case did not have anything

to do with a loan. She pointed out that item 17 specifically mentioned acceptance of a grant. She called for a motion to accept this grant and its terms and conditions and to authorize the moderator and clerk as signatories. Mr. Brooks moved to authorize the moderator and clerk as signatories, seconded by Mr. Hanson, approved unanimously. Ms. Richard moved for acceptance of the terms and conditions of the grant, seconded by Mr. Brooks, approved unanimously. Mr. Buffum and Ms. Richard signed and dated 2 copies of the loan resolution and recorded the voting. Ms. Richard said that she would minute the meeting and send it out priority mail in the morning. She said that once USDA had processed the paperwork that if the district was successful the grant would be awarded within 10 days. Mr. Brooks asked if he should inform C&E Engineering. Ms. Richard said that he could be informed that the district was in the final phase of the application process but it should be made clear that they are not authorized to begin work until the grant award is made.

3dII. CDBG funding. Ms. Richard said that she was working on the funding request but was having difficulty in communicating with the town and was still gathering information about modular buildings. She said that she had contacted Mr. Belden to let him know that she needed a little more time to complete the paperwork. Mr. Buffum asked what would happen if the town was not amenable to the building project. Ms. Richard said that if that happened she would write the grant to include land acquisition. She said that the location on town land would be the best possible site and hoped that the town

would be cooperative in the matter.

RI Foundation grant. Ms. Richard said that in an effort to continue to perform on the ADDD grant, that educational flyers had to be distributed. She asked for volunteers to contact DOH and URI to obtain educational materials on conservation and methods of water treatment. Mr. Brooks said that he would make the appropriate contacts. Mr. Bishop asked how much the RI Foundation had awarded the district. Ms. Richard explained the public outreach program.

Mr. Brooks said that Bristol Water Authority occasionally sold surplus vehicles and asked if the district should pursue this opportunity. Ms. Richard said that it was an excellent idea but that at the moment the district was in no position to buy a vehicle because they had no facility to run and no place to keep a vehicle.

Ms. Richard said that she had received information about an EPA “smart growth” technical assistance program and suggested that the board consider applying for this service. She said the time frame was tight but that if successful it might help to establish a relationship with EPA for more assistance as bigger projects came up. Mr. Bishop asked if studies of the aquifer had been carried out. Ms. Richard said that a report on availability had been carried out by Dr. Daniel Urish for PIUC but that the board had not seen the report. She said the USGS had not performed a hydrology survey of the island. She said

that a good project for EPA might be help in planning to site a new water source. Mr. Buffum asked if the EPA could facilitate a survey by USGS. Ms. Richard said she didn't think that federal agencies coordinated projects with other agencies in that way. Mr. Brooks said that EPA would most likely be amenable to doing a project on Prudence Island. Mr. Hanson said that it would be a good idea to make an application for assistance. Mr. Brooks said that there are 3 EPA offices within the state.

4a. Correspondence. Notice of RIWWA meeting May 12. Mr. Buffum said he would check his schedule to see if it was possible for him to attend.

Workshop for local land use and effect on water quality in Cumberland May 16, evening. Board members felt that attendance would present scheduling difficulties.

4b. Other. Mr. Bishop asked if PIWD is a non-profit corporation. Ms. Richard said no, that PIWD is a political subdivision of the state but that the charter allows the district to accept donations. Mr. Bishop asked if the district had D&O insurance. Ms. Richard said the district was insured. Mr. Bishop asked if the PIUC was still responsible for any problems with the water system. Mr. Buffum said yes, PIUC was responsible for the current water system. He asked who in the PIUC had brokered the deal in which the building was sold. Ms. Richard said the board had no knowledge of that nature. Mr. Bishop said that conservation would be a major issue as the island demographic

continued to shift. Mr. Brooks pointed out that Mr. Buffum was working on written policies regarding conservation.

Mr. Buffum moved to adjourn to executive session after a 5-minute break, seconded by Mr. Brooks, approved unanimously. Meeting adjourned at 1 p.m.

Patricia Richard, Clerk